



Indiana Department of Environmental Management

We Protect Hoosiers and Our Environment.

100 N. Senate Avenue • Indianapolis, IN 46204

(800) 451-6027 • (317) 232-8603 • www.idem.IN.gov

Michael R. Pence
Governor

Carol S. Comer
Commissioner

VIA ELECTRONIC MAIL

November 17, 2016

Mr. Darren McClellan
Aigner Construction, Inc.
944 Baker Road
Boonville, Indiana 47601

Dear Mr. McClellan:

Re: NPDES General Permit No. ING040282
IDNR Permit No. N/A
AML Site 146, Davis Cemetery
Approximately 2 miles west of Arthur Junction,
southwest of CR 600 W and S. Meridian Road
Approximately 1 2/3 miles southwest of
Marysville, Indiana, Pike County

This agency has received and reviewed your email request dated October 18, 2016. In this correspondence you state that the work at the above-referenced site had been completed, and asked that NPDES permit ING040282 be terminated. Our office has confirmed with the Indiana Department of Natural Resources that this is the case. In view of this information our office concurs that a discharge permit is no longer needed.

Therefore, National Pollutant Discharge Elimination System Permit No. ING040282, issued on February 15, 2016, is hereby revoked as of the date of this letter.

Any party adversely affected or aggrieved by this decision may appeal by filing a petition for administrative review with the Office of Environmental Adjudication (OEA) within fifteen (15) days after the date of mailing of this letter. Any appeal request must be filed in accordance with IC 4-21.5-3-7 and must include facts demonstrating that the party requesting appeal is the applicant, a person aggrieved or adversely affected by this voidance or otherwise entitled to review by law. Pursuant to IC 13-15-7-3, this decision shall remain in effect pending a decision on any appeal that has been timely requested under the provisions of IC 4-21.5. The address is:

Office of Environmental Adjudication
Indiana Government Center North
100 North Senate Avenue, Room 501
Indianapolis, IN 46204



A State that Works

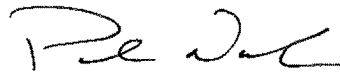
Recycled Paper

Mr. Darren McClellan
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You are reminded that any future discharge to waters of the state must be preceded by the submission of an NPDES application at least 180 days prior to the commencement of such discharge.

If you have any questions regarding this matter, please contact Ms. Sheri L. Jordan of my staff at 317/ 232-8703.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Novak", written in a cursive style.

Paul Novak, Chief
Permits Branch
Office of Water Quality

Slj/
cc: IDNR Division of Reclamation
Pike County Health Department

**STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

PUBLIC NOTICE NO. 2016 – 11D -GP

DATE OF NOTICE: November 17, 2016

The Office of Water Quality issues the following **NPDES GENERAL PERMIT**.

TERMINATION

AIGNER CONSTRUCTION – AML SITE 146, DAVIS CEMETERY, Permit No. ING040282, PIKE COUNTY, Marysville, IN. This permit is being terminated because there is no longer a discharge. Permit Writer: Sheri Jordan at 317/232-8703.

Notice of Right to Administrative Review [Permits]

If you wish to challenge this permit, you must file a Petition for Administrative Review with the Office of Environmental Adjudication (OEA), and serve a copy of the petition upon IDEM. The requirements for filing a Petition for Administrative Review are found in IC 4-21.5-3-7, IC 13-15-6-1 and 315 IAC 1-3-2. A summary of the requirements of these laws is provided below.

A Petition for Administrative Review must be filed with the Office of Environmental Adjudication (OEA) within fifteen (15) days of the issuance of this notice (eighteen (18) days if you received this notice by U.S. Mail), and a copy must be served upon IDEM. Addresses are:

Director
Office of Environmental Adjudication
Indiana Government Center North
Room 501
100 North Senate Avenue
Indianapolis, Indiana 46204

Commissioner
Indiana Department of Environmental Management
Indiana Government Center North
Room 1301
100 North Senate Avenue
Indianapolis, Indiana 46204

The petition must contain the following information:

1. The name, address and telephone number of each petitioner.
2. A description of each petitioner's interest in the permit.
3. A statement of facts demonstrating that each petitioner is:
 - a. a person to whom the order is directed;
 - b. aggrieved or adversely affected by the permit; or
 - c. entitled to administrative review under any law.
4. The reasons for the request for administrative review.
5. The particular legal issues proposed for review.
6. The alleged environmental concerns or technical deficiencies of the permit.
7. The permit terms and conditions that the petitioner believes would be appropriate and would comply with the law.
8. The identity of any persons represented by the petitioner.
9. The identity of the person against whom administrative review is sought.
10. A copy of the permit that is the basis of the petition.
11. A statement identifying petitioner's attorney or other representative, if any.

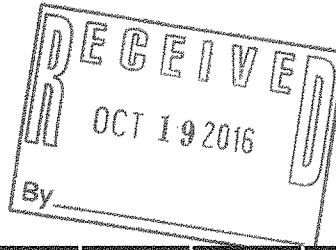
Failure to meet the requirements of the law with respect to a Petition for Administrative Review may result in a waiver of your right to seek administrative review of the permit. Examples are:

1. Failure to file a Petition by the applicable deadline;
2. Failure to serve a copy of the Petition upon IDEM when it is filed; or
3. Failure to include the information required by law.

If you seek to have a permit stayed during the administrative review, you may need to file a Petition for a Stay of Effectiveness. The specific requirements for such a Petition can be found in 315 IAC 1-3-2 and 315 IAC 1-3-2.1.

Pursuant to IC 4-21.5-3-17, OEA will provide all parties with notice of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action. If you are entitled to notice under IC 4-21.5-3-5(b) and would like to obtain notices of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action without intervening in the proceeding you must submit a written request to OEA at the address above.

If you have procedural or scheduling questions regarding your Petition for Administrative Review you may contact the Office of Environmental Adjudication at (317) 232-8591 or see OEA's website at <http://www.in.gov/oea>.



Office: 812-897-5815

COMPLETE EXCAVATING SERVICE • COMMERCIAL-RESIDENTIAL-FARM

October 18, 2016

Sheri L. Jordan
NPDES General Permits Coordinator
Indianapolis, IN 46204

RE: NPDES General Permit No. ING040282

Dear Ms. Jordan:

I am sending you this letter requesting voidance of the above referenced permit. Work at this site was completed on or about September 28, 2016.

Please notify me when this permit is terminated so we can stop the monthly submittals.

Thank you again for your time and as always, should you have any questions, please call me at 812-897-5815.

Sincerely,

Darren McClellan
Project Manager